

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CARMELITA M. DESIDERIO,
Personal Representative of the
Estate of PHILLIP R. CURLEY, deceased,

Plaintiff,

v.

No. 1:23-cv-57 WJ/KRS

THE UNITED STATES OF AMERICA;
JANELLE D. JONES, M.D.; and
JOY G. HARRISON, M.D.,

Defendants.

**ORDER DENYING WITHOUT PREJUDICE
MOTION TO VACATE SCHEDULING ORDER DEADLINES**

THIS MATTER is before the Court on Defendant Jones' Unopposed Motion to Vacate Scheduling Order Deadlines, (Doc. 58), filed February 6, 2024. Defendant Jones asks the Court to vacate the parties' remaining deadlines in the Scheduling Order, (Doc. 42), as well as the deadline for Plaintiff's 26(a)(2) disclosures, and to set another scheduling conference to reset the deadlines. The parties do not state why they are asking to vacate their pretrial deadlines, other than stating that "further discovery is necessary including the depositions of the parties, key witnesses, and expert witnesses." (Doc. 58) at 1. The parties fail to explain why they cannot meet the March 29, 2024 discovery deadline, and they do not state how much of an extension they are seeking. The Court declines to vacate the pretrial deadlines in this case and denies the Motion without prejudice. Any future motions for extension of the pretrial deadlines must set forth good cause for the extension and specify how much additional time is sought.

IT IS SO ORDERED.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE